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10/020,260	12/14/2001	Edward Lee Bryan	1381/3/2	8660

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EXAMINER

CHOJNACKI, MELLISSA M

ART UNIT PAPER NUMBER

2175

DATE MAILED: 01/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/020,260

Applicant(s)

BRYAN ET AL.

Examiner

Mellissa M Chojnacki

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

DIANE D. MIZRAHI  
PRIMARY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Specification*

1. The arrangement of the disclosed application does not conform with 37 CFR 1.77(b).

Section headings are underlined throughout the disclosed specification.

Section headings should not be underlined and/or **boldfaced**. Appropriate corrections are required according to the guidelines provided below:

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.

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- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

3. The abstract of the disclosure contains the phrase "are disclosed" in line 2. The abstract should not contain "disclosed". Correction is required.

4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, 4-5, 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karaev et al. (U.S. Patent No. 5,802,518) in view of Saylor et al. (U.S. Patent No. 6,501,832).

As to claim 1, Karaev et al. teaches (a) a logic kernel for accessing information and distributing the information to users (See column 38, lines 29-33, where "logic circuit or computer memory" is read on "logic kernel");

(b) a content database accessible by the logic kernel for storing information received from public and private computer networks (See column 3, lines 12-24, where "repository server" contains a "logic kernel"; also see column 38, lines 29-33, where "logic circuit or computer memory" is read on "logic kernel"); and

(e) a plurality of templates for configuring logic kernel to distribute specific information to targeted groups of users (See column 4, lines 47-59; column 10, lines 14-30, where "web server 4" contains a "logic kernel"; also see column 13, lines 51-63 and also see column 38, lines 29-33, where "logic circuit or computer memory" is read on "logic kernel").

Karaev et al. does not teach a knowledge switch comprising:

(c) a profile module for storing user profiles including information for distributing the information stored in the content database to users; and

(d) a plurality of input/output modules for contacting end users via defined user devices.

Saylor et al. teaches a voice code registration system and method for registering voice codes for voice pages in a voice network access provider system (See abstract),

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in which he teaches a knowledge switch comprising (See column 14, lines 1-22, where the "Vcode system" contains a "knowledge switch"); and a profile module for storing user profiles including information for distributing the information stored in the content database to users (See column 15, lines 53-64; column 17, lines 61-67; column 18, lines 1-10); and a plurality of input/output modules for contacting end users via defined user devices (See column 1 lines 44-50, lines 58-61; column 14, lines 10-22).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Karaev et al., to include a knowledge switch comprising: a profile module for storing user profiles including information for distributing the information stored in the content database to users; and a plurality of input/output modules for contacting end users via defined user devices.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Karaev et al., by the teachings of Saylor et al. because a knowledge switch comprising: a profile module for storing user profiles including information for distributing the information stored in the content database to users; and a plurality of input/output modules for contacting end users via defined user devices would help access and deliver the right information to the right person (user) because information is most useful when it is delivered to the right person at the right time (See Saylor et al., column 1, lines 24-27).

As to claim 2, Karaev et al. as modified, teaches wherein the logic kernel includes software that is configurable by end users or administrators using the templates (See Karaev et al., column 4, lines 49-53, and lines 60-65, where "information provider" is read on "administrators").

As to claim 4, Karaev et al. as modified, teaches wherein the input/output modules include a web server for sending and receiving information via the Internet (See Karaev et al., column 3, lines 12-20).

As to claim 5, Karaev et al. as modified, teaches wherein the input/output modules include a wireless PDA server for sending information to and receiving information from a wireless PDA (See Saylor et al., column 1 lines 44-50; column 14, lines 10-22).

As to claim 7, Karaev et al. as modified, teaches wherein the knowledge switch includes a fax, email, and SMS server for sending and receiving messages in fax, email, and SMS format (See Saylor et al., column 14, lines 14-19. It is inherent that SMS server assist in managing PC's connected to a local-area-network (LAN)).

As to claim 10, Karaev et al. as modified, teaches wherein the templates include a contact list template including customizable fields for providing an individual's contact

information to the logic kernel (See Saylor et al., column 15, lines 53-64; column 17, lines 61-67; column 18, lines 1-10).

7. Claim 3, is rejected under 35 U.S.C. 103(a) as being unpatentable over Karaev et al. (U.S. Patent No. 5,802,518) in view of Saylor et al. (U.S. Patent No. 6,501,832), as applied to claims 1-2, 4-5, 7 and 10 above, and further in view of Austin (U.S. Patent No. 6,157,924).

As to claim 3, Karaev et al. as modified, still does not teach wherein the profile module stores media portals defined by end users.

Austin teaches systems, methods, and computer program products for delivering information in a preferred medium (See Abstract), in which she teaches wherein the profile module stores media portals defined by end users (See Abstract; column 2, lines 30-49).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Karaev et al. as modified, to include wherein the profile module stores media portals defined by end users.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Karaev et al. as modified, by the teachings of Austin because wherein the profile module stores media portals defined by end users, would allow a customer (or user) to designate what type of delivery medium (or media) he/she is to receive information in (See Austin column 3, lines 46-50).



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8. Claims 6, 8-9 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karaev et al. (U.S. Patent No. 5,802,518) in view of Saylor et al. (U.S. Patent No. 6,501,832), as applied to claims 1-2, 4-5, 7 and 10 above, and further in view of Gatto (U.S. Patent Application Publication No. US 2002/0184131 A1).

As to claim 6, Karaev et al. as modified, still does not teach, wherein the input/output modules include a phone alert server for automatically contacting a plurality of end users via a telephone network.

Gatto teaches security analyst estimates performance viewing system and method (See Abstract), in which he teaches wherein the input/output modules include a phone alert server for automatically contacting a plurality of end users via a telephone network (See page 16, paragraphs [0202] and [0203]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Karaev et al. as modified, to include wherein the input/output modules include a phone alert server for automatically contacting a plurality of end users via a telephone network.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Karaev et al. as modified, by the teachings of Gatto because wherein the input/output modules include a phone alert server for automatically contacting a plurality of end users via a telephone network, would enable the system to inform or remind users of important occurrences or conditions pertaining to the specific information they are looking for, or have flagged, for the future need.

As to claim 8, Karaev et al. as modified, teaches wherein the templates include an event template including customizable fields for configuring the logic kernel to deliver alert messages to individuals in response to defined events (See Gatto, page 16, paragraphs [0202] and [0203] , where “conditions or parameters” is read on “fields”).

As to claim 9, Karaev et al. as modified, teaches wherein the event template includes a customizable field for configuring the logic kernel to deliver different alert messages to different individuals (See Gatto, page 16, paragraphs [0202] and [0203] , where “conditions or parameters” is read on “fields”).

As to claim 11, Karaev et al. as modified, teaches wherein the templates include a schedule template for allowing individuals to associate the contact information with schedule information (See Gatto, page 16, paragraphs [0202] and [0203]).

As to claim 12, Karaev et al. as modified teaches, wherein the templates include an intra agency knowledge switch management template for configuring the logic kernel to distribute alert messages to predetermined individuals within an organization (See Karaev et al., column 38, lines 29-33, where “logic circuit or computer memory” is read on “logic kernel”; also see Gatto, page 16, paragraphs [0202] and [0203]).

As to claim 13, Karaev et al. as modified teaches, wherein the templates include an inter agency knowledge switch management template for configuring the logic kernel to distribute alert messages to different groups of individuals (See Karaev et al., column 38, lines 29-33, where "logic circuit or computer memory" is read on "logic kernel"; also see Gatto, page 16, paragraphs [0202] and [0203]).

9. Claims 14-28, are rejected under 35 U.S.C. 103(a) as being unpatentable over Saylor et al. (U.S. Patent No. 6,501,832), in view of Gatto (U.S. Patent Application Publication No. US 2002/0184131 A1).

As to claim 14, Saylor et al. teaches a hierarchical system of knowledge switches (See column 14, lines 1-22) for delivering alerts to end users, the system comprising:  
(b) a plurality of second knowledge switches located at predetermined agencies, the second knowledge switches being coupled to the first knowledge switches via the computer network, (See column 1-23).

Saylor et al. does not teach, each second knowledge switch being configured to receive alerts, apply a policy level to the alerts, and distribute alerts to end users associated with each second knowledge switch based on the policy level; and a plurality of first knowledge switches located at predetermined points of presence for receiving alerts and distributing the alerts over a computer network.

Gatto teaches security analyst estimates performance viewing system and method (See Abstract), in which he teaches each second knowledge switch being

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configured to receive alerts, apply a policy level to the alerts, and distribute alerts to end users associated with each second knowledge switch based on the policy level (See page 16, paragraphs [0202] and [0203]); and a plurality of first knowledge switches located at predetermined points of presence for receiving alerts and distributing the alerts over a computer network (See page 16, paragraphs [0202] and [0203]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Saylor et al., to include each second knowledge switch being configured to receive alerts, apply a policy level to the alerts, and distribute alerts to end users associated with each second knowledge switch based on the policy level; and a plurality of first knowledge switches located at predetermined points of presence for receiving alerts and distributing the alerts over a computer network.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Saylor et al., by the teachings of Gatto because each second knowledge switch being configured to receive alerts, apply a policy level to the alerts, and distribute alerts to end users associated with each second knowledge switch based on the policy level; and a plurality of first knowledge switches located at predetermined points of presence for receiving alerts and distributing the alerts over a computer network, would enable the system to inform or remind users of important occurrences or conditions pertaining to the specific information they are looking for or have flagged for the future need.

As to claim 15, Saylor et al. as modified, teaches wherein the first and second knowledge switches include templates for defining alerts and individuals for receiving the alerts (See Saylor et al., column 14, lines 1-22; also see Gatto, page 16, paragraphs [0202] and [0203]).

As to claim 16, Saylor et al. as modified, teaches wherein the first and second knowledge switches are adapted to distribute the alerts based on end user and agency certificate levels (See Saylor et al., column 14, lines 1-22; also see Gatto, page 16, paragraphs [0202] and [0203]).

As to claim 17, Saylor et al. teaches a method for distributing and accessing information (See column 1, lines 15-27).

Saylor et al. does not teach presenting a user with a plurality of templates for configuring a knowledge switch to deliver alerts to intended recipients; receiving, via the templates, event definition information for defining events and associated alerts to be delivered to the intended recipients; receiving, via the templates, contact and schedule information for defining alert delivery modes and corresponding times for each of the intended recipients; and distributing the alerts to the intended recipients using the information provided via the templates.

Gatto teaches security analyst estimates performance viewing system and method (See Abstract), in which he teaches presenting a user with a plurality of

templates for configuring a knowledge switch to deliver alerts to intended recipients  
(See page 16, paragraphs [0202] and [0203]);

receiving, via the templates, event definition information for defining events and associated alerts to be delivered to the intended recipients (See page 16, paragraphs [0202] and [0203]);

receiving, via the templates, contact and schedule information for defining alert delivery modes and corresponding times for each of the intended recipients (See page 16, paragraphs [0202] and [0203]); and

distributing the alerts to the intended recipients using the information provided via the templates (See page 16, paragraphs [0202] and [0203]).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Saylor et al., to include presenting a user with a plurality of templates for configuring a knowledge switch to deliver alerts to intended recipients; receiving, via the templates, event definition information for defining events and associated alerts to be delivered to the intended recipients; receiving, via the templates, contact and schedule information for defining alert delivery modes and corresponding times for each of the intended recipients; and distributing the alerts to the intended recipients using the information provided via the templates.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Saylor et al., by the teachings of Gatto because presenting a user with a plurality of templates for configuring a knowledge

switch to deliver alerts to intended recipients; receiving, via the templates, event definition information for defining events and associated alerts to be delivered to the intended recipients; receiving, via the templates, contact and schedule information for defining alert delivery modes and corresponding times for each of the intended recipients; and distributing the alerts to the intended recipients using the information provided via the templates, would enable the system to inform or remind users of important occurrences or conditions pertaining to the specific information they are looking for or have flagged for the future need.

As to claim 18, Saylor et al., as modified, teaches wherein presenting the user with a plurality of templates includes presenting the user with a plurality of templates via a computer network interface (See Gatto, page 16, paragraphs [0202] and [0203]).

As to claim 19, Saylor et al., as modified, teaches wherein receiving event definition information includes receiving access information, user information, and triggered alert information via an event template (See Gatto, page 16, paragraphs [0202] and [0203]).

As to claim 20, Saylor et al., as modified, teaches wherein the access information includes spoken commands for communicating an event to a knowledge switch via a mobile or landline telephone (See Saylor et al., column 14, lines 1-22), the user

information includes a directive to be delivered to the intended recipients, and the triggered alerts information includes alert messages to be delivered to each of the intended recipients or groups of intended recipients (See Gatto, page 16, paragraphs [0202] and [0203]).

As to claim 21, Saylor et al., as modified, teaches wherein receiving contact and schedule information includes receiving contact information from intended recipients via a contact list template that includes fields for allowing each recipient to input contact information and receiving schedule information via a schedule template including a graphical schedule interface that allows each recipient to associate contact information with the schedule information (See Saylor et al., column 15, lines 53-64; column 17, lines 61-67; column 18, lines 1-10; also see Gatto, page 16, paragraphs [0202] and [0203]).

As to claim 22, Saylor et al., as modified, teaches wherein distributing the alerts to the intended recipients using the information provided by via templates includes, for each recipient, accessing contact and schedule information stored for each recipient, converting the alert to the appropriate format based on the contact and schedule information, and delivering the alert via a medium specified by the contact and schedule information (See Saylor et al., column 15, lines 53-64; column 17, lines 61-67; column 18, lines 1-10; also see Gatto, page 16, paragraphs [0202] and [0203]).



As to claim 23, Saylor et al., as modified, teaches wherein distributing the alerts to the intended recipients includes delivering the alerts via a telephone network to all recipients in a geographic area (See Gatto, page 16, paragraphs [0202] and [0203]).

As to claim 24, Saylor et al., as modified, teaches wherein distributing the alerts to the intended recipients includes parsing the alerts based on recipient certificate levels and selectively delivering portions of the alerts to the end users based on individual end user certificate levels (See Gatto, page 16, paragraph [0202]).

As to claim 25, Saylor et al., as modified, teaches determining whether receipt confirmation is required from each recipient, and, in response to determining that receipt confirmation is required, resending the alert if receipt confirmation is not received within a predetermined time period (See Gatto, page 16, paragraph [0202] and [0203]; and also see page 27, paragraph [0296]).

As to claim 26, Saylor et al., as modified, teaches determining whether a response is required from each recipient, and, in response to determining that the response is required, resending the alert if the response is not received within a predetermined time period (See Gatto, page 16, paragraph [0202] and [0203]; and also see page 27, paragraph [0296]).

As to claim 27, Saylor et al., as modified, teaches including an authentication portion in the alert for allowing the intended recipients to authenticate the alerts (See Saylor et al., column 22, lines 36-40, lines 45-56; also see Gatto, page 16, paragraph [0202]).

As to claim 28, Saylor et al., as modified, teaches comprising receiving input from the intended recipients for storing the alerts in a predetermined format, and, in response, storing the alerts for later access by the intended recipients (See Gatto, page 16, paragraph [0202] and [0203]; and also see page 27, paragraph [0296]).

### **Conclusion**

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mellissa M. Chojnacki whose telephone number is 730-305-8769. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on 703-305-3830. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

DIANE D. MIRRAHI  
PRIMARY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

Mmc  
January 9, 2004